

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

In Re: LEVAQUIN PRODUCTS  
LIABILITY LITIGATION

MDL. No. 08-1943 (JRT)

**ORDER DENYING MOTION TO  
QUASH SUBPOENA AND FOR  
PROTECTIVE ORDER**

This document also relates to:

Calvin Christensen et al. v.  
Johnson & Johnson et al.

Civil No. 07-3960 (JRT/AJB)

---

Ron Goldser, **ZIMMERMAN REED, PLLP**, 651 Nicollet Mall, Suite 501, Minneapolis, MN 55402; Lewis Saul, **LEWIS SAUL & ASSOCIATES, P.C.**, 29 Howard Street, Third Floor, New York, NY 10013, for plaintiffs.

Tracy Van Steenburgh, **NILAN JOHNSON LEWIS PA**, 120 South Sixth Street, Suite 400, Minneapolis, MN 55402; William Robinson, **LECLAIRRYAN**, 225 Reinekers Lane, Suite 700, Alexandria, VA 22314; John Dames, **DRINKLER, BIDDLE & REATH, LLP**, 191 North Wacker Drive, Suite 3700, Chicago, IL 60606, for defendants.

This matter is before the Court on Defendants' Motion to Quash Plaintiff Edward Karkoska's Subpoena Duces Tecum for the Deposition of Dr. Michael Butner and for a Protective Order [Docket No. 1190]. Based upon all of the files, records and proceedings herein:

**IT IS HEREBY ORDERED** that:

1. Defendants' Motion is **DENIED** in its entirety.

2. Plaintiff may depose Dr. Butner for a 2<sup>nd</sup> time, but the deposition is limited to addressing additional discovery that has been produced since the first deposition.

DATED: April 27, 2010  
at Minneapolis, Minnesota.

s/ John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge